



☐ PROPOSED ☒ CURRENT

Classification Title Assistant Chief Counsel	Division Legal Affairs Division
Working Title Assistant Chief Counsel	Office/Unit/Section/Geographic Location Rancho Cordova
Position Number 592-830-5871-001	Name and Effective Date

General Statement: Under the general direction of the Deputy Director of the Legal Affairs Division (Division) within the Department of Cannabis Control (Department), the Assistant Chief Counsel will be responsible for planning, organizing, directing, coordinating, and reviewing the work of the Division. Duties include, but are not limited to, the following:

A. Specific Assignments [w/ Essential (E) / Marginal (M) Functions]

35% (E) Legal Consultation and Advice

Handle the most sensitive and complex legal issues. Identify the nature of complex and sensitive legal issues, generate alternatives, and implement solutions and approaches that successfully address the issues. Study, interpret, and apply laws, regulations, court decisions, and other legal authorities. Advise and provide expert legal opinions related to enforcement cases, contracts, the Administrative Procedure Act, and laws and regulations pertinent to the Department's regulatory and operational activities, open meeting laws, public records laws, and other laws as needed. Communicate legal principles, facts, and positions to various audiences and forums in a courteous and professional tone and manner. Provide oral and written opinions regarding the most complex and sensitive issues to the Department executives, management and staff, attorneys, members of the public, legislators, and other governmental agencies when requested. Research, draft, and prepare responses to subpoenas, Public Records Act, discovery requests, and other information requests. Assist with developing interpretations of law, regulations, and policies.

30% (E) Personnel Management

Supervise, plan, organize, direct, and provide managerial review of attorney staff work. Evaluate performance of staff attorneys, prepare probation and performance evaluations, and engage in progressive discipline when appropriate. Participate in the selection process of Division staff. Submit and approve administrative requests for leave, overtime, travel, training, and timesheets. Draft and implement policies and procedures.

25% (E) Litigation, Regulations, and Other Representation

Represent the Department in administrative adjudicative matters, negotiations, hearings, and meetings. Refer cases to, and assist, the Attorney General's Office (AGO) in the preparation and presentation of administrative and court matters, including providing information and reviewing pleadings and other documents. Evaluate, draft, and make recommendations related to strategy and settlement of Department legal matters. Research, draft, and prepare regulatory documents, represent the Department

in regulatory hearings, and respond to comments. Act as a backup for the Deputy Director upon request.

10% (E) Administration

Prepare and conduct education and training programs, develop training materials, and coordinate training with other relevant organizations. Mentor staff in areas of expertise. Assist with development and implementation of administrative procedures of the Division.

B. Supervision Received

The Assistant Chief Counsel reports directly to and receives the majority of assignments from the Deputy Director, however, direction and assignments may come from the Director or Chief Deputy Director.

C. Supervision Exercised

The Assistant Chief Counsel exercises supervision for the attorney staff within the Division.

D. Administrative Responsibility

The Assistant Chief Counsel is responsible for providing supervision to legal staff, legal services, and Division operations.

E. Personal Contacts

The Assistant Chief Counsel has regular and continuous contact with Department management and staff, agency, and the AGO. The Assistant Chief Counsel has occasional to frequent contact with the Governor's Office, professional or industry associations, the Department of Human Resources, the State Personnel Board, other cannabis licensing departments, and the public.

F. Actions and Consequences

Failure to adequately execute these duties would undermine the ability to provide effective counsel to the Department, whose highest priority is protection of the public. Failure to use sound judgement and discretion in responding to public inquiries or providing thorough and accurate information may result in harm to the general public, inaccurate legal documentation, or unjustified determinations against cannabis entities. Failure to exercise good judgement in the handling of sensitive issues may result in jeopardizing the legal authority, confidence, and integrity of the Department.

G. Functional Requirements

The incumbent is a Work Week Group SE employee and is expected to work an average of 40 hours per week each year and may be required to work specified hours based on the business needs of the office, in an office setting with artificial light and temperature control. Daily access to and use of a personal computer and telephone is essential. Use of a computer mouse and keyboard is required. Sitting and standing requirements are consistent with work in an office setting. Occasional lifting from 10-15 pounds may be required.

H. Other Information

Due to the confidential and sensitive nature of the assignments the incumbent must consistently exercise a high degree of initiative, independence, sound judgement, and creativity in performing assigned tasks. The incumbent must be self-motivated, conscientious, and dependable. Professional courtesy and the ability to act independently must be demonstrated at all times. Adherence to an approved work schedule is critical to the successful performance of the position due to the heavy workload and time sensitive nature of the work.

Licensing Requirement - Incumbent must maintain an active membership in the California State Bar.

Criminal Offender Record Information (CORI) - Title 11, section 703 (d) of the California Code of Regulations requires criminal record checks of all personnel who have access to Criminal Offender Record Information (CORI). Pursuant to this requirement, applicants for this position will be required to submit fingerprints to the Department of Justice and be cleared before hiring. In accordance to CORI procedures, clearance shall be maintained while employed in a CORI-designated position. Additionally, the position routinely works with sensitive and confidential issues and/or materials and is expected to maintain the privacy and confidentiality of documents and topics pertaining to individuals or to sensitive program matters at all times.

Conflict of Interest (COI) - This position is subject to Conflict of Interest Regulations. The incumbent is required to submit a Statement of Economic Interests (Form 700) within 30 days of assuming office, annually by April 1, and within 30 days of leaving office.

Travel - The incumbent is required to travel throughout an assigned geographical area by various methods of transportation.

I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Health & Safety analyst.)

Employee Signature

Date

Employee's Printed Name – Classification

I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Supervisor Signature

Date

Supervisor's Printed Name – Classification

New 11/2021